

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Michael B. Lanahan

SERIAL NO.: 10/591,870

FILED: September 07, 2006

TITLE: SELF PROCESSING PLANTS
AND PLANT PARTS

GROUP ART UNIT: 1638

CONFIRMATION NO.: 3084

EXAMINER: Page, Brent T.

ATTORNEY DOCKET: 60110USPCT1

RESPONSE TO RESTRICTION/ELECTION REQUIREMENT AND AMENDMENT
UNDER 37 USC 1.121

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Restriction/Election Requirement dated February 20, 2009, Applicants hereby elect to prosecute the invention of Group II (Groups XXX-XLVIII) drawn to a method for preparing a fermentable sugar, monosaccharide or oligosaccharide. This election is made without traverse.

Applicants have canceled all pending claims and submitted new claims drawn to the Group II (Groups XXX-XLVII) invention. Applicants respectfully request admission of the amendment to the claims submitted under 37 USC 1.121 and further request consideration of the above-identified application in view of the following amendments and remarks. Applicants reserve their statutory right under §121 to pursue non-elected inventions in a timely filed application.

Amendments to the claims begin on page 2 of this response and remarks begin on page 4.

The Non-Final Office Action dated February 20, 2009 has a shortened statutory time set to expire on March 20, 2009. A one month extension of time to April 20, 2009 is hereby requested. Please charge the extension fee of \$120.00 to Applicants' credit card. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 50-1744 in the name of Syngenta Biotechnology, Inc.